



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

**Amiram STEINBERG**

Serial No: **08/842,680**

Group Art Unit: **3738**

Filed : **April 15, 1997**

Examiner: **D.J. Isabella**

For : **BONE GROWTH PROMOTING IMPLANT**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant submits an Information Disclosure Statement.  
If any fees are due and owing, the Commissioner is authorized to  
charge Deposit Account 08-2455.

Respectfully submitted,

  
\_\_\_\_\_  
Christopher J. McDonald  
Reg. 41,533

March 4, 2005

HOFFMAN, WASSON & GITLER, PC  
1361 Jefferson Davis Highway  
Suite 522  
Arlington, VA 22202

Attorney's Docket: **A-7617.IDS/cat**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Amiram STEINBERG

Serial No.: 08/842,680

Filed: April 15, 1997

For: BONE GROWTH PROMOTING  
IMPLANT



) Art Unit: 3738  
)  
)  
Examiner: D.J. Isabella  
)  
)  
Washington, D.C.  
)  
October 24, 2002  
)  
Docket No.: A7617

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:

(Check one of the boxes A-D)

A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

B. before the mailing date of a first office action on the merits.

C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(check one of the boxes "i" and "ii" below:)

i. Counsel certifies that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

ii. A check for the fee set forth in 1.17(p), presently believed to be \$240, is enclosed (check no. \_\_\_\_\_).

D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. A check for the fee set forth in §1.17(i), presently believed to be \$130 is enclosed (check no. \_\_\_\_\_). Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

A. Document(s) \_\_\_\_\_ is (are) deemed substantially cumulative to document(s) \_\_\_\_\_, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.

B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

[insert serial numbers and filing dates of prior applications]

Applicant identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

3. Document German Patent No.: DE 2,247,721 is not in the English language. In accordance with 1.98(c), Applicant states:

An English translation of each document German Patent No.: DE 2,247,721 (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

A concise explanation of the relevance of document(s) \_\_\_\_\_ is found in the attached search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

A concise explanation of the relevance of document(s) \_\_\_\_\_ is set forth as follows:  
[Insert concise explanation of relevance]

A concise explanation of the relevance of document(s) \_\_\_\_\_ can be found on page(s) \_\_\_\_\_ of the specification.

A concise explanation of document(s) \_\_\_\_\_ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

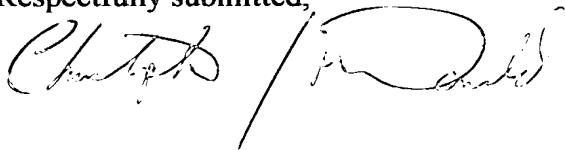
5. Other information being provided for the examiner's consideration follows:

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

**CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS**

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher J. R. Doherty".

FORM PTO-1449 (Colb)

ATTY DOCKET NO.

SERIAL NUMBER

A-7617

08/842,680

LIST OF PATENTS AND PUBLICATIONS  
FOR APPLICANTS' INFORMATION  
STATEMENTAPPLICANT  
Amiram STEINBERGEXAMINER  
D.J. IsabellaFILING DATE  
April 15, 1997GROUP ART UNIT  
3738

## U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,201,881	4/1993	Evans			
	AB	5,011,497	4/1991	Persson, et al.			
	AC	4,279,041	7/1981	Bucholz			
	AD	5,080,675	1/1992	Lawes, et al.			
	AE	4,650,491	3/1987	Parchinski			
	AF	3,938,198	2/1976	Kahn, et al.			
	AG	4,292,695	10/1981	Koeneman			
	AH	4,624,674	11/1986	Pappas, et al.			
	AI	2,765,787	10/1956	Pellet			
	AJ	4,735,625	5/1988	Davidson			
	AK	5,370,699	12/1994	Hood, et al.			
	AL	5,641,323	6/1997	Caldariso			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AM	DE 2,247,721	4/1974	Germany			

## OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

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EXAMINER:	DATE CONSIDERED:		
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FORM PTO-1449 (Colb)	ATTY DOCKET NO. A-7617	SERIAL NUMBER 08/842,680
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT	APPLICANT Amiram STEINBERG	EXAMINER D.J. Isabella
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## U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,323,765	6/1994	Brown			
	AB	5,658,345	8/1997	Willi			
	AC	3,875,594	4/1975	Swanson			
	AD	3,938,198	2/1976	Kahn, et al.			
	AE	4,292,695	10/1981	Koeneman			
	AF	4,344,193	8/1982	Kenny			
	AG	4,570,270	2/1986	Oechsle, III			
	AH	4,650,491	3/1987	Parchinski			
	AI	4,279,041	7/1981	Buchholz			
	AJ	4,661,112	4/1987	Muller			
	AK	4,662,889	5/1987	Zichner, et al.			
	AL	4,664,568	5/1987	Beck, et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AM	EP 0 308 081	3/1989	Europe			

## OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

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## U.S. PATENT DOCUMENTS

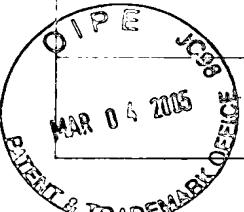
Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	4,715,859	12/1987	Schelhas, et al.			
	AB	4,795,470	1/1989	Goymann, et al.			
	AC	4,795,474	1/1989	Horvath			
	AD	4,808,186	2/1989	Smith			
	AE	4,813,962	3/1989	Deckner, et al.			
	AF	4,822,365	4/1989	Walker, et al.			
	AG	4,888,020	12/1989	Horber			
	AH	4,904,269	2/1990	Elloy, et al.			
	AI	4,908,035	3/1990	Deckner, et al.			
	AJ	4,919,674	4/1990	Schelhas			
	AK	4,919,678	4/1990	Kranz			
	AL	4,936,856	6/1990	Keiler			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AM	GB 2 126 096	3/1984	Great Britain			

## OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	4,938,771	7/1990	Vecsei, et al.			
	AB	4,938,773	7/1990	Strand			
	AC	4,950,298	8/1990	Gustilo, et al.			
	AD	4,955,912	9/1990	Berchem			
	AE	4,955,919	9/1990	Pappas, et al.			
	AF	4,963,153	10/1990	Noesberger, et al.			
	AG	4,963,154	10/1990	Anapliotis, et al.			
	AH	4,997,447	3/1991	Shelley			
	AI	5,002,581	3/1991	Paxson, et al.			
	AJ	5,019,107	5/1991	Schelhas			
	AK	5,041,140	8/1991	Teinturier			
	AL	5,049,393	9/1991	Neon, et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AM	GB 2 069 338	8/1981	Great Britain			

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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,080,677	1/1992	Shelley			
	AB	5,108,446	4/1992	Wagner, et al.			
	AC	5,108,451	4/1992	Forte			
	AD	5,116,374	5/1992	Stone			
	AE	5,133,763	7/1992	Mullers			
	AF	5,146,933	9/1992	Boyd			
	AG	5,147,406	9/1992	Houston, et al.			
	AH	5,151,521	9/1992	Morita, et al.			
	AI	5,156,631	10/1992	Meriette			
	AJ	5,171,276	12/1992	Casparia, et al.			
	AK	5,181,925	1/1993	Houston			
	AL	5,197,987	3/1993	Koch, et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AM	EP 0 190 446	12/1985	Europe			

## OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

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MAR 04 2003 PATENT & TRADEMARK OFFICE	FILING DATE April 15, 1997	GROUP ART UNIT 3738

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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,197,989	3/1993	Hinckfuss, et al.			
	AB	5,201,881	4/1993	Evans			
	AC	5,201,882	4/1993	Paxson			
	AD	5,217,498	6/1993	Henssge, et al.			
	AE	5,217,499	6/1993	Shelley			
	AF	5,222,985	6/1993	Homsy			
	AG	5,282,868	2/1994	Bahler			
	AH	5,290,314	3/1994	Koch, et al.			
	AI	5,314,478	5/1994	Oka, et al.			
	AJ	5,314,494	5/1994	Huiskes, et al.			
	AK	5,316,550	5/1994	Forte			
	AI.	5,326,376	7/1994	Warner, et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AM	EP 0 066 092	4/1982	Europe			

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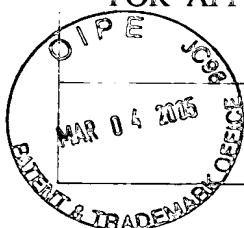
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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,330,534	7/1994	Herrington, et al.			
	AB	5,314,493	5/1994	Mikhail			
	AC	5,336,268	8/1994	Rispeter			
	AD	5,344,459	9/1994	Swartz			
	AE	5,358,525	10/1994	Fox, et al.			
	AF	5,370,699	12/1994	Hood, et al.			
	AG	5,376,064	12/1994	Cerny			
	AH	5,376,125	12/1994	Winkler			
	AI	5,387,244	2/1995	Breard			
	AJ	5,389,107	2/1995	Nassar, et al.			
	AK	5,405,403	4/1995	Mikhail			
	AL	5,405,411	4/1995	McCoy			

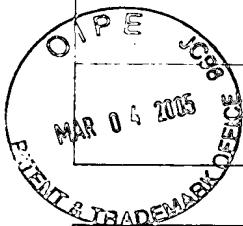
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	AM	EP 0 329 019	2/1989	Europe			

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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,415,662	5/1995	Ferrante, et al.			
	AB	5,425,779	6/1995	Schlosser, et al.			
	AC	5,448,489	9/1995	Reuben			
	AD	5,458,643	10/1995	Oka, et al.			
	AE	5,458,651	10/1995	Lawes			
	AF	5,489,311	2/1996	Cipolletti			
	AG	5,491,882	2/1996	Walston, et al.			
	AH	5,507,814	4/1996	Gilbert, et al.			
	AI	5,507,818	4/1996	McLaughlin			
	AJ	5,507,820	4/1996	Pappas			
	AK	5,507,823	4/1996	Walston, et al.			
	AL	5,507,830	4/1996	DeMane, et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AM	EP 0 253 941	7/1986	Europe			

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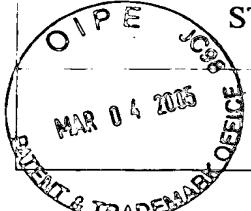
Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,507,833	4/1996	Bohn			
	AB	5,507,836	4/1996	Pohlig			
	AC	5,514,182	5/1996	Shea			
	AD	5,514,184	5/1996	Doi, et al.			
	AE	5,522,904	6/1996	Moran, et al.			
	AF	5,507,835	4/1996	Jore			
	AG	5,246,461	9/1993	Tepic			
	AH	5,364,839	11/1994	Gerhart, et al.			
	AI	5,376,120	12/1994	Sarver, et al.			
	AJ	5,393,739	2/1995	Bentz, et al.			
	AK	5,480,449	1/1996	Hamilton, et al.			
	AL	5,510,418	4/1996	Rhee, et al.			

## FOREIGN PATENT DOCUMENTS

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	AA	5,522,894	6/1996	Draenert			
	AB	4,892,551	1/1990	Haber			
	AC	5,660,225	8/1997	Saffran			
	AD	4,089,071	5/1978	Kalnberz, et al.			
	AE	5,281,226	1/1994	Davydov, et al.			
	AF	5,443,383	8/1995	Kirsch			
	AG	5,480,437	1/1996	Draenert			
	AH	5,032,134	7/1991	Lindwer			
	AI	4,997,444	3/1991	Farling			
	AJ	5,002,579	3/1991	Copf, et al.			
	AK	5,443,512	8/1995	Parr, et al.			
	AL	5,133,762	7/1992	Branemark			

## FOREIGN PATENT DOCUMENTS

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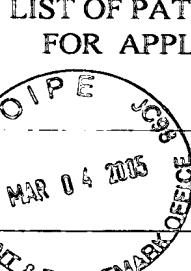
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	AA	5,080,678	1/1992	Sportorno, et al.			
	AB	5,944,759	8/1999	Link			
	AC	5,944,758	8/1999	Mansat, et al.			
	AD	5,944,757	8/1999	Grammont			
	AE	5,944,756	8/1999	Fischetti, et al.			
	AF	5,938,702	8/1999	Lopez, et al.			
	AG	5,935,174	8/1999	Dye			
	AH	5,935,175	8/1999	Ostiguy, Jr. et al.			
	AI	5,935,173	8/1999	Roger, et al.			
	AJ	5,935,172	8/1999	Ochoa, et al.			
	AK	5,935,171	8/1999	Schneider, et al.			
	AL	5,931,871	8/1999	Baur, et al.			

## FOREIGN PATENT DOCUMENTS

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FORM PTO-1449 (Colb)	ATTY DOCKET NO. A-7617	SERIAL NUMBER 08/842,680
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT	APPLICANT Amiram STEINBERG	EXAMINER D.J. Isabella
	FILING DATE April 15, 1997	GROUP ART UNIT 3738

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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,931,870	8/1999	Cuckler, et al.			
	AB	5,928,289	9/1999	Deckner			
	AC	5,928,288	9/1999	Wilson			
	AD	5,928,287	9/1999	Keller			
	AE	5,928,286	9/1999	Ashby, et al.			
	AF	5,928,285	9/1999	Bigliani, et al.			
	AG	5,919,236	7/1999	Pfaff, et al.			
	AH	5,916,270	6/1999	Lipman			
	AI	5,916,269	6/1999	Serbousek, et al.			
	AJ	5,916,268	6/1999	Schollner, et al.			
	AK	5,913,858	6/1999	Calandruccio et al.			
	AL	5,911,759	6/1999	Rogala			

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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,911,758	6/1999	Oehy, et al.			
	AB	5,910,172	6/1999	Penenberg			
	AC	5,910,171	6/1999	Kummer, et al.			
	AD	5,906,644	5/1999	Powell			
	AE	5,906,643	5/1999	Walker			
	AF	5,906,210	5/1999	Herbert			
	AG	5,904,720	5/1999	Farrar, et al.			
	AH	5,904,688	5/1999	Gilbert, et al.			
	AI	5,902,340	5/1999	White, et al.			
	AJ	5,882,206	3/1999	Gillio			
	AK	5,888,204	3/1999	Ralph, et al.			
	AL	5,879,407	3/1999	Waggener			

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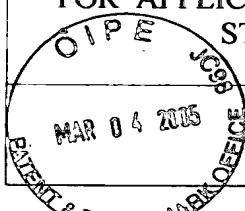
Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,879,405	3/1999	Ries, et al.			
	AB	5,879,404	3/1999	Bateman, et al.			
	AC	5,879,402	3/1999	Lawes, et al.			
	AD	5,879,401	3/1999	Besemer, et al.			
	AE	5,879,398	3/1999	Swarts, et al.			
	AF	5,879,397	3/1999	Kalberer, et al.			
	AG	5,879,396	3/1999	Waltson, et al.			
	AH	5,879,395	3/1999	Tornier, et al.			
	AI	5,879,393	3/1999	Whiteside, et al.			
	AJ	5,879,392	3/1999	McMinn			
	AK	5,879,390	3/1999	Kubein, et al.			
	AL	5,879,387	3/1999	Jeners, et al.			

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	AA	5,871,548	2/1999	Sanders, et al.			
	AB	5,871,547	2/1999	Abouaf, et al.			
	AC	5,824,108	10/1998	Huebner			
	AD	5,824,107	10/1998	Ts chirren			
	AE	5,824,103	10/1998	Williams			
	AF	5,824,102	10/1998	Buscayret			
	AG	5,824,101	10/1998	Pappas			
	AH	5,824,098	10/1998	Stein			
	AI	5,800,560	9/1998	Draenert			
	AJ	5,800,558	9/1998	LaHaise, Sr.			
	AK	5,800,557	9/1998	Eihami			
	AL	5,800,555	9/1998	Gray, III			

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	AA	5,800,554	9/1998	Scholz			
	AB	5,800,553	9/1998	Albrektsson et al.			
	AC	5,788,704	8/1998	Timperley			
	AD	5,782,928	7/1998	Ries, et al.			
	AE	5,782,925	7/1998	Collazo, et al.			
	AF	5,776,202	7/1998	Copf, et al.			
	AG	5,766,260	7/1998	Whiteside			
	AH	5,766,257	7/1998	Goodman, et al.			
	AI	5,755,811	5/1998	Tanamal, et al.			
	AJ	5,755,810	5/1998	Cunningham			
	AK	5,755,804	5/1998	Schmotzer, et al.			
	AL	5,755,801	5/1998	Walker, et al.			

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STATEMENTAPPLICANT  
Amiram STEINBERGEXAMINER  
D.J. IsabellaFILING DATE  
April 15, 1997GROUP ART UNIT  
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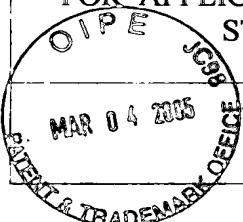
Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,755,799	5/1998	Oehy, et al.			
	AB	5,743,918	4/1998	Calandruccio et al			
	AC	5,910,172	6/1999	Penenberg			
	AD	5,211,666	5/1993	Feto			
	AE	5,507,832	4/1996	Michielli, et al.			
	AF	4,433,440	2/1984	Cohen			
	AG	5,397,359	3/1995	Mittelmeier, et al			
	AH	5,507,834	4/1996	Laghi			
	AI	5,314,492	5/1994	Hamilton, et al.			
	AJ	5,405,394	4/1995	Davidson			
	AK	5,316,550	5/1994	Forte			
	AL	5,314,494	5/1994	Huiskes, et al.			

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	AA	5,413,610	5/1995	Amino, et al.			
	AB	5,507,835	4/1996	Jore			
	AC	5,373,621	12/1994	Ducheyne, et al.			
	AD	5,433,750	7/1995	Gradinger, et al.			
	AE	3,879,767	4/1975	Substand			
	AF	5,376,123	12/1994	Klaue, et al.			
	AG	5,480,437	1/1996	Draenert			
	AH	3,576,133	4/1971	Walter, et al.			
	AI	5,376,126	12/1994	Lin			
	AJ	5,496,375	3/1996	Sisk, et al.			
	AK	3,600,718					
	AL	5,108,449	4/1992	Gray			

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	AA	5,507,817	4/1996	Craig, et al.			
	AB	5,181,929	1/1993	Prats, et al.			
	AC	5,507,829	4/1996	Thongpreda, et al.			
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
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	AL						

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